

CUSTOMER NO.: 24498  
Serial No. 10/511,562  
Office Action dated: 11/19/07  
Response dated: 02/11/08

PATENT  
PU020123

Remarks/Arguments

Reconsideration of this application is respectfully requested. Claim 26 has been amended, and claims 19-23 were previously canceled. As such, claims 1-18, and 24-26 are in this application and are presented for the Examiner's consideration in view of the following comments.

Claim 26 has been rejected under 35 U.S.C. §112, second paragraph, because of a lack of antecedent basis. Applicant has amended claim 26 to correctly depend from claim 25, which removes the basis for this rejection.

Claims 1-7, 10-12, 15-18 and 24 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,781,463, issued July 14, 1998, to Ogawa et al. (*Ogawa*). Applicant respectfully continues to disagree for the reasons stated in Applicant's previous responses, which are incorporated by reference herein.

In addition, Applicant respectfully notes the following. The Examiner's arguments are without basis and to an extent conflicting.

First, the Examiner states that the motivation

"to combine the two embodiments would be to discriminate to which one of a numerical region that is defined to have a normal code value free from any modulation due to disturbance as a central value (col. 10, lines 42-46)."

Office Action, p. 9; emphasis added.

It is respectfully noted that FIG. 8 of *Ogawa* already includes the embodiment shown in FIG. 3 of *Ogawa*. There is nothing left to combine or modify.

Indeed, the cited motivation — col. 10, lns. 44-46 of *Ogawa* — is already satisfied by slicer 4A in the embodiment of FIG. 3 and by slicer 4A in the embodiment of FIG. 8. This is what col. 10, lns. 44-46 of *Ogawa* refers to. Thus, there is no motivation for the modification as suggested by the Examiner.

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In addition, the Examiner's insistence on further modifying slicer 30 of FIG. 8 of *Ogawa* completely disregards the operation of elements 5A, 30, 31 and 31 of FIG. 8 of *Ogawa*. In particular, slicer 30 of FIG. 8 of *Ogawa*

"compares the training sequence error value  $e_{ref}(n)$  output from the subtracter 5A with a predetermined allowable error amount during only the input period of the training sequence Ref. When the training sequence error value  $e_{ref}(n)$  is smaller than the predetermined allowable error amount, the slicer 30 outputs a logic signal "1"; otherwise, it outputs a logic signal "0". Note that this predetermined allowable error amount is preferably set to be a value smaller than the intersymbol distance of a transmission code sequence."

*Ogawa*, col. 16, lns. 42-51.

Thus the entire function of slicer 30 of *Ogawa* only operates when receiving a known training sequence and slicer 30 compares a training sequence error value to a predetermined error amount for use in determining convergence of the training sequence. *Ogawa*, col. 16, lns. 62-63. As such, since the symbols of the training sequence are already known — the code values are already known. Therefore, the Examiner's assertion that there is a reason to modify slicer 30 of FIG. 8 of *Ogawa* "to discriminate to which one of a numerical region that is defined to have a normal code value free from any modulation due to disturbance as a central value" is without basis.

In view of the above, Applicant respectfully continues to submit that independent claims 1, 12 and 24, along with their respective dependent claims 2-7, 10, 11 and 15-18 are patentable over *Ogawa*.

Claims 8 and 13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Ogawa* in view of U.S. Patent No. 6,515,713, issued February 4, 2003, to Nam (*Nam*). Applicant respectfully traverses this rejection for claims 8 and 13 for the reasons described above with respect to independent claims 1 and 12.

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Claims 9 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Ogawa* in view of U.S. Patent No. 4,697,265, issued September 29, 1987, to Nozue (*Nozue*). Applicant respectfully traverses this rejection for the reasons described above with respect to independent claims 1 and 12.

Claims 25 and 26 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Ogawa* in view of U.S. Patent No. 5,835,532, issued November 10, 1998, to Strolle et al. Applicant respectfully traverses this rejection for the reasons described above with respect to independent claim 24.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicant's attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted,  
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